

IN THE CLAIMS

Please amend the claims as follows:

1. (original) A dual-stack optical data storage medium for at least read out using a focused radiation beam with a wavelength λ between 400 nm and 410 nm and an Numerical Aperture (NA) between 0.84 and 0.86, entering through an entrance face of the medium during read out, comprising:

- a substrate with present on a side thereof:

- a first stack of layers named L0 comprising a first information layer,

- a second stack of layers named L1, comprising a second information layer, L1 being present at a position closest to the entrance face and L0 more remote from the entrance face than L1,

- a radiation beam transparent spacer layer between L0 and L1,

- a radiation beam transparent cover layer between the entrance face and L1

- a transmission stack named TS0 with a thickness d_{TS0} and an effective refractive index n_{TS0} containing all layers between L0 and the entrance face,

-a transmission stack named TS1 with a thickness d_{TS1} and an effective refractive index n_{TS1} containing all layers between L1 and the entrance face, characterized in that the spacer layer has a thickness selected from the range 20 - 30 μm , the thickness d_{TS0} in dependence on the refractive index n_{TS0} is within the upper shaded area in Fig.1 and the thickness d_{TS1} in dependence on the refractive index n_{TS0} is within the lower shaded area in Fig.1.

2. (original) An optical data storage medium according to claim 1, wherein the maximum deviations of d_{TS0} and d_{TS1} from respectively the average values of d_{TS0} and d_{TS1} between a radius of 23mm and 24 mm of the medium do not exceed $\pm 2 \mu\text{m}$ measured over the whole area of the medium.

3. (currently amended) An optical data storage medium according to claim ~~1 or 2~~, wherein n_{TS0} and n_{TS1} both have a value of 1.6 and the following conditions are fullfilled: $95 \mu\text{m} \leq d_{TS0} \leq 105 \mu\text{m}$ and $70 \mu\text{m} \leq d_{TS1} \leq 80 \mu\text{m}$.

4. (currently amended) An optical data storage medium according to ~~any one of claims 1 — 3~~claim 1, wherein the spacer layer

thickness is 25 μm or substantially close to 25 μm and the cover layer thickness is 75 μm or substantially close to 75 μm .

5. (currently amended) Use of an optical data storage medium as claimed in ~~any one of the preceding claims~~ claim 1 for reliable data read out from both the first information layer and the second information layer.